



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/288,774 04/08/99 PIVOWAR

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TM02/0131  
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EXAMINER

DE LA TORRE, C

ART UNIT

PAPER NUMBER

2173

DATE MAILED:

01/31/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Advisory Action

Application No.

09/288,774

Applicant(s)

Plvowar et al.

Examiner

Crescelle Dela Torre

Group Art Unit

2173

THE PERIOD FOR RESPONSE: [check only a) or b)]

- a) ☐ expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- ☐ Appellant's Brief is due two months from the date of the Notice of Appeal filed on \_\_\_\_\_ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Jan 16, 2001 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:

☒ The proposed amendment(s):

- ☐ will be entered upon filing of a Notice of Appeal and an Appeal Brief.
- ☒ will not be entered because:
- ☒ they raise new issues that would require further consideration and/or search. (See note below).
  - ☐ they raise the issue of new matter. (See note below).
  - ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
  - ☐ they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: Applicant amended independent claims 7, 11, 18, and 20 to include the step of "storing various calendars within a portable data storage module in separate databases" which requires further search and consideration.

- ☐ Applicant's response has overcome the following rejection(s):

- ☐ Newly proposed or amended claims \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

- ☒ The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Attachment A

- ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

- ☒ For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: \_\_\_\_\_

Claims objected to: \_\_\_\_\_

Claims rejected: 1-27

- ☐ The proposed drawing correction filed on \_\_\_\_\_ ☐ has ☐ has not been approved by the Examiner.
- ☐ Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Other

Art Unit: 2173

**ATTACHMENT A**

Applicant's After-Final Response, filed on 1/16/01, has been considered but does not overcome the rejection for the following reasons:

Regarding the Jenson reference, applicant points out that the personal organizer of Jenson does not display plural calendars. Examiner agrees with applicant. However, Jenson does not teach away from the display of plural calendars since the display of Jenson allows for the "selection and display of multi-day views" at col. 9, lines 41 - 56 of a single calendar, at Fig. 8. In addition, Bauer teaches an interface for displaying plural calendars, at Fig. 9, and col. 14, lines 19 - 21, wherein the "schedules of various individuals are compared side-by-side". Thus, it would have been obvious to combine Bauer with Jenson because it allows a user to view different calendars on a single display.

Examiner agrees that Bauer does not teach the display of multiple calendars on a PDA. Rather, the Jenson reference was used to teach a portable device with calendaring functions. On the other hand, Bauer was used to teach the simultaneous display of plural calendars.

For these reasons, applicant's claims remain rejected.

*C. de la Torre*  
**CRESCELLE N. DELA TORRE**  
**PRIMARY EXAMINER**  
1/30/01